WALPOLE PLANNING BOARD MINUTES OF MAY 20, 2021

The Walpole Planning Board held a meeting via Zoom on Thursday, May 20, 2021 at 7:00 p.m. The following members were present: John Conroy, Chair; Sarah Khatib, Vice Chair; Philip Czachorowski, Clerk; Catherine Turco-Abate and John O'Leary.

Mr. Conroy opened the meeting at 7:04 p.m.

Minutes: Mr. Conroy moved to accept the minutes of April 29, 2021. Motion seconded by Ms. Khatib and voted 4-0-1 (Mr. Czachorowski abstained).

ANR #2 – Boyden Estates: Mr. Conroy stated that this subdivision is still under subdivision control and not as yet owned by the town; therefore, the board cannot endorse this. Mr. Conroy moved not to endorse the ANR before the board due to it being under subdivision control as per Section 81-W of MGL, we can't endorse it. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy stated the applicant would need to come back when this is a regular town-owned subdivision.

Fall Town Meeting Article: Ms. Abate stated she would like to bring forth an article for the Fall town meeting. She stated we have no way to enforce anything right now and she feels we need to help our residents in town, but not become a nucleus for Affordable Housing. The WHP is the group to do this. It is a simple solution. For example, whatever we move forward with needs to be acceptable to the community, not just town meeting. Mr. Conroy stated it is a simple thing. Whenever we have any project over ten units, we have one affordable. This would apply to all condos and apartments, but not single family houses. It would have been nice to have this in place when we did the Pulte, Bristol, Lorusso and Corcoran projects.

Mr. Czachorowski stated this sounds very much like what the WHP wanted to do and feels this is the job of the joint committee. The Trust was a separate article and he feels we should wait and let the joint committee do its' job. Ms. Khatib would like to see if Ms. Abate has language for the article and if so she would like to see it. She asked Ms. Abate to send it to the board. Mr. O'Leary stated the complexity of the bylaw was raised at the meeting he was at. The committee is just getting started. Mr. Conroy stated we can always remove something from the warrant. Nothing has come forward for the Fall town meeting at this point. We can always make this part of the work of the IZB group. We can take it out when the other information comes in. Gilmores' is for sale. We need something in place. We can bring the article forward as a stop gap. Mr. Czachorowski asked about the Trust and Mr. Conroy stated it is not on the agenda tonight.

2021 Fall Town Meeting Article: it was agreed to place this on the board's next meeting agenda.

7:26 p.m. Alsarabi Estates (readvertised and renoticed) Continued Hearing: Mr. Conroy read the re-advertised public hearing notice. The applicant was represented by Daniel Merrikin, Legacy Engineering, Millis, MA and Atty. Philip Macchi, Norwood, MA. Mr. Merrikin stated they were last before us on January 7, 2021 and did a presentation.

Mr. Conroy stated all the green cards were received.

Mr. Merrikin stated this is a 4-lot subdivision off Starlight Drive. Mr. Balduf stated a modification of the prior subdivision approval may be necessary. Atty. Philip Macchi, Norwood, submitted a written response and had given it to Pat Deschenes. He stated that some of the issues were the 100' buffer, the Westwood Gun Club property, do they need to file under 81W Subdivision Control Law, the Planning Board can limit the number of houses in a subdivision, the plan proposed by Legacy has sufficient frontage and it is his legal opinion that they don't have to modify the subdivision and can go forward with what is being proposed.

Mr. Conroy read comments received from the Board of Health, but no definitive yes was given. Mr. Balduf discussed his comments of May 18, 2021. Mr. Merrikin stated there will be a Homeowners' Association.

Mr. O'Leary questioned a reference to an easement. Mr. Merrikin stated that there is an easement over Lot 3 for the benefit of Lot 2. Mr. O'Leary asked if that is set up in perpetuity or is there another expiration date. Mr. Merrikin responded there is no expiration date. Mr. O'Leary asked if there is a sidewalk proposed and Mr. Merrikin stated no as this will be a private way serving four homes. Mr. O'Leary questioned the trees and Mr. Merrikin stated they are proposing street trees. Mr. Czachorwski questioned the stormwater report and Mr. Merrikin stated there were a couple of revisions submitted, but May 4th is the latest. Mr. Merrikin stated he would like a sense as to whether the board is okay with the proposed private way.

Ms. Abate stated questioned the HOA and would like to discuss it again in the future. Mr. Merrikin stated it will be for all four lots. Atty. Macchi stated there are two different documents: 1) a covenant with the town stating the road will remain private in perpetuity. Trash will be brought out to the end of the street as in all private roads and 2) MMA or HOA which are the same thing and both get recorded. Ms. Khatib stated that we are still waiting for approval from the Board of Health, Fire Department. She asked if they received Conservation approval and Mr. Merrikin stated they are not done with ConCom yet. Ms. Khatib questioned snow storage on the plan and Mr. Merrikin stated he will add that in a note. Regarding street names, Mr. Merrikin will submit them to E911, Fire and Police. Mr. Conroy reminded Mr. Merrikin that we have no control over mailboxes. Also if ConCom changes their plan, you will need to start over with us. Mr. Conroy stated they are not asking for any waivers on the conventional plan including sidewalk waivers. Mr. Merrikin stated that is correct.

Mr. Conroy asked for comments from the public.

Atty. Chris Timson, representing the Westwood Gun Club, questioned the gravel area, which is through the woods to the Gun Club, the 100' buffer, the gravel area and if that will remain, and would like signage on the 100' buffer so the homeowners are aware the Gun Club is back there.

Atty. Macchi stated he has been talking to Atty. Timson regarding a phasing plan and the mature trees staying. He will provide a copy of this to Atty. Timson. They do object to moving the building out of the buffer. Regarding signage, he hasn't seen where the board asked for this before, although he is not

opposed to it. They do not have an issue with turning a 100' buffer into a no disturb no touch area. Mr. Conroy asked for something in writing and stated he expects the Gun Club and Alsarabi to work out their issues with what works best.

There were no further public comments.

Mr. Conroy polled the board as to whether they like the conventional plan or private roadway. Ms. Khatib stated yes to private as long as the fire department and others have no issue with it; Mr. Czachorowski and Ms. Abate both agree with Ms. Khatib; Mr. O'Leary asked if we have 20' wide roadways in the other part of town. Mr. Balduf stated he thinks so. Mr. Conroy asked Mr. Merrikin to find a few. Mr. O'Leary asked if that would be a safety concern. Mr. Balduf stated his original review addressed that. Mr. Merrikin stated he feels these are all minor issues and he will put some stuff together. Mr. Conroy asked when they are next meeting with ConCom and Mr. Merrikin stated in two weeks. Mr. Merrikin granted the board an extension of time up to and including July 31, 2021. Motion seconded by Mr. O'Leary and voted 5-0-0. Mr. Conroy continued this meeting to July 15,2021 at 7:10 p.m.

Marini, 1427-1429 Main Street, Special Permit, Case No. 21-03, Site Plan Approval, Case No. 21-02 and 1429 Main Street Definitive Subdivision off Marion Street: Mr. Conroy read a letter from the applicant's attorney, Chris Alphen, Bobrowski & Haverty, Concord, MA granting the board an extension of time and also asking to continue tonight's hearings without testimony.

Mr. Conroy moved to accept an extension of time for all three hearings up to and including July 30, 2021 as requested. Motion seconded by Mr. Czachorowski and voted 5-0-0.

Mr. Conroy continued the hearings to July 15, 2021 as follows: special permit hearing, #21-03 at 7:15 p.m., the site plan hearing, #21-02 to 7:16 p.m. and the subdivision hearing to 7:30 p.m.

Master Plan Discussion: Both Mr. O'Leary and Ms. Abate are all set. Mr. Czachorowski questioned the type of committee we wanted, a steering committee or not. Ms. Khatib asked how quickly can we move forward. She feels we should all agree on things by the next meeting. The board talked about discussing this at our next meeting in June. We need to decide on the make-up of the committee and how many people will be on it. Ms. Abate suggested we ask Judy Barrett to give us a five minute presentation at an upcoming meeting. We could send her our specific questions prior to the meeting. She could send us a list of what the typical committees do. Mark Galvin, Select Board, stated he liked this.

Mr. Conroy moved to adjourn. Motion seconded by Ms. Abate and voted 5-0-0. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Philip Czachorowski, Clerk (approved 9/2/21)